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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,300	09/27/2001	Robert A. Koch	00986	5035
26285	7590	08/24/2005	EXAMINER	
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP			YANG, LINA	
535 SMITHFIELD STREET			ART UNIT	
PITTSBURGH, PA 15222			PAPER NUMBER	

2665

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/966,300

Applicant(s)

KOCH ET AL.

Examiner

Lina Yang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/16/2002</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 4 and 12 are objected to because of the following informalities.

Claim 4 recites "advanced intelligent network (ALN)", it should be "advanced intelligent network (AIN)", according to the current specification.

Claim 12 recites "advanced intelligent network (A/7N)", it should be "advanced intelligent network (AIN)", according to the current specification.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 17 is rejected under 35 U.S.C. 112, second paragraph.

Claim 17 recites the limitation "the apparatus" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamb et al. (U.S. Patent No. 6,747,970 B1).

Regarding claim 1, Lamb teaches an apparatus (fig. 3) for allowing a calling party to initiate a telephone call from an Internet-enabled device (246 in fig. 3), the apparatus comprising a server (hosting server 203 in fig. 3) for receiving an originating telephone number and a destination telephone number in response to a command from the Internet-enabled device (col. 27 lines 65-67; col. 28 lines 33-39), for generating a call request (col. 28 lines 39-45), and for transmitting the request to a telecommunications network (col. 28 lines 45-47), to request the network to establish a connection between the originating telephone number and the destination telephone number (col. 20 lines 6-20; col. 28 lines 47-54).

Regarding claim 2, Lamb further teaches that the apparatus further comprising a database (220 in fig. 3) in communication with the server, the database having stored therein the call request (col. 19 lines 18-29).

Regarding claim 3, Lamb further teaches that the apparatus further comprising a database (220 in fig. 3) in communication with the server, the database having stored therein at least one telephone number (col. 20 lines 14-20).

Regarding claim 4, Lamb further teaches that the telecommunications network includes an advanced intelligent network (AIN) (the left half part of 205-1 in fig. 3).

Regarding claim 5, Lamb further teaches that the apparatus further comprising a communications network (200 in fig. 3) for connecting the Internet-enabled device to the server.

Regarding claim 6, Lamb further teaches that the Internet-enabled device is selected from the group consisting of a personal computer (246 in fig. 3), an Internet appliance, a personal digital assistant, a WAP-enabled device, and an interactive pager.

Regarding claim 7, Lamb teaches a method of enabling a calling party (246 in fig. 3) to initiate a telephone call, the method comprising:

receiving a request to initiate the telephone call from a first device (246 in fig. 3), wherein the first device is associated with the calling party (col. 27 lines 65-67);

receiving an originating telephone number (col. 27 lines 65-67; col. 28 lines 33-39; col. 20 lines 14-20);

receiving a destination telephone number (col. 27 lines 65-67; col. 28 lines 33-39; col. 20 lines 14-20); and

transmitting a call request containing the originating telephone number and the destination telephone number to a telecommunications network to request the network to originate the telephone call from a second device associated with the originating

telephone number end to a third device associated with the destination telephone number (col. 28 lines 28-54).

Regarding claim 8, Lamb further teaches receiving an originating telephone number includes receiving an originating telephone number from the first device (user agent interface of 246 in fig. 3 and 340 in fig. 5A).

Regarding claim 9, Lamb further teaches receiving a destination telephone number includes receiving a destination telephone number from the first device (user agent interface of 246 in fig. 3 and 340 in fig. 5A).

Regarding claim 10, Lamb further teaches receiving a destination telephone number includes receiving a destination telephone number from a database (user agent of 220 in fig. 4 and 340 in fig. 5A).

Regarding claim 11, Lamb further teaches receiving an originating telephone number includes receiving an originating telephone number from a database (user agent of 220 in fig. 4 and 340 in fig. 5A).

Regarding claim 12, Lamb further teaches transmitting a call request containing the originating telephone number and the destination telephone number to a

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telecommunications network includes transmitting the call request to an advanced intelligent network (AIN) (col. Lines 45-54, network server 202-1 is part of AIN).

Regarding claim 13, Lamb further teaches receiving one of an IP address and an email address of the first device ("URL" inherently has IP address; 330 in fig. 5 A and Table 1).

Regarding claim 14, Lamb further teaches accepting a personal identification number (PIN) from the first device (user agent interface of 246 in fig. 3 and access control information of 331 in fig. 5A and Table 1).

Regarding claim 15, Lamb teaches a computer readable medium (230 in fig. 4) containing instructions that when executed by a computer perform acts for allowing a calling party to initiate a telephone call from an Internet-enabled device, the acts comprising: receiving a request from the Internet-enabled device to initiate the telephone call; receiving an originating telephone number; receiving a destination telephone number; and transmitting a call request containing the originating telephone number and the destination telephone number to a telecommunications network to request the network to establish a connection between the originating telephone number and the destination telephone number (see fig. 4 and the corresponding descriptions in col. 29 and col. 30).

Regarding claim 16, Lamb further teaches that the acts further comprising storing in a database at least one of the originating and the destination telephone numbers (user agent 220 in hosting server 203; fig. 4).

Regarding claim 17, Lamb further teaches the acts further comprising preventing unauthorized access to the apparatus (col. 29 lines 61-69).

Regarding claim 18, Lamb teaches a system (fig. 3) for allowing a calling party to initiate a telephone call from an Internet-enabled device, the system comprising:

a telecommunications network (101 in fig. 3);

an IP network ( 200 in fig. 3) in communication with the Internet-enabled device 246 in fig. 3); and

a server (203 in fig. 3)for receiving an originating telephone number and a destination telephone number in response to a command from the Internet-enabled device(col. 27 lines 65-67; col. 28 lines 33-39), for generating a call request (col. 28 lines 39-45),

and for transmitting the request to the telecommunications network to request the network to establish a connection between the originating telephone number and the destination telephone number (col. 20 lines 6-20; col. 28 lines 47-54).

Regarding claim 19, Lamb further teaches the system further comprising a database for storing the call request (220 in fig. 3; col. 19 lines 18-29).



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Regarding claim 20, Lamb further teaches the system further comprising a database having stored therein at least one of the originating and the destination telephone numbers (220 in fig. 3; col. 19 lines 18-29).


### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lina Yang whose telephone number is (571)272-3151. The examiner can normally be reached on 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300..

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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HUY D. VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600